

EXHIBIT 4



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

JUN - 9 2023

RICK WARREN
COURT CLERK
36

HEATHER SMITH, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

WHALECO INC. DBA TEMU,

Defendant.

Case No. CJ-2023-2888

CLASS ACTION

(JURY TRIAL DEMANDED)

MOTION TO ASSOCIATE COUNSEL

Plaintiff Heather Smith hereby moves the Court for an Order permitting Frank Hedin to practice in the above styled and numbered cause pursuant to the Rules Creating and Controlling the Oklahoma Bar Association, 5 O.S. Ch. 1, App.1, Art. II. This Motion is supported by the attached "Signed Application" (Exhibit 1), "Certificate of Good Standing (Exhibit 2), and the "Certificate of Compliance" from the Oklahoma Bar Association (Exhibit 3).

Dated this 9th day of June, 2023.

Respectfully Submitted,

Kathy R. Neal, OBA #674
MCAFE & TAFI, P.C.
Williams Center Tower II
Two W. Second Street, Suite 11200
Tulsa, Oklahoma 74103
Telephone: 918-587-0000
Facsimile: 918-599-9317
kathy.neal@mcafeetafi.com

ATTORNEY FOR PLAINTIFF

APPLICATION



OUT OF STATE ATTORNEY REGISTRATION

Frank Salisbury Hedin, Applicant, respectfully represents:
First Name Middle Name Last Name

1. Applicant is an attorney at law and a member of the law firm of _____
Hedin Hall LLP

Applicant's mailing address is 1395 Brickell Ave., Ste 1140
Miami, Miami-Dade, FL, 33131
City County State Zip Code
(305) 357-2107, (786) 559-4352, (305) 200-8801
Telephone (Firm) Telephone (Applicant's Direct Dial) Fax (Applicant)

fhedin@hedinhall.com
E-mail Address (Applicant)

2. Applicant is admitted to practice and is a member in good standing
(certificates of good standing attached) of the bar(s) of the highest state court(s)
of the following state(s):

<u>State</u>	<u>Date of Admission</u>
<u>Florida</u>	<u>April 30, 2014</u>
<u>California</u>	<u>September 20, 2013</u>

3. Applicant is admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or other tribunals on the dates indicated for each, and is presently a member in good standing of the bars of said courts:

<u>Tribunal</u>	<u>Date of Admission</u>
<u>See Exhibit A attached.</u>	



4. Have you ever been suspended or disbarred in any court except as hereinafter provided (Give particulars; e.g. court, jurisdiction, date): No.

5. Are you currently subject to any pending disciplinary proceedings by any organization with authority to discipline attorneys at law except as hereinafter provided (Give particulars; e.g. court, discipline authority, date, status): No.

6. Have you ever received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law except as hereinafter provided (Give particulars; e.g. court, discipline authority, type of discipline, date, status): No.

7. Have you ever had any certificate or privilege to appear and practice before any regulatory or administrative body suspended or revoked except as hereinafter provided (Give particulars; e.g. administrative body, date, status of suspension or reinstatement): No.

8. Applicant seeks admission to practice in the State of Oklahoma in the following matter (give particulars; e.g. caption of case, court or agency, type of matter, party to be represented): **Note - A separate application is to be submitted for each matter in which the applicant seeks admission!**

Heather Smith, individually and on behalf of all others similarly situated,

Plaintiff v. Whaleco, Inc. d/b/a TEMU, Defendant

Oklahoma County; CJ-2023-2888

Type of Case: Class Action

Represent Plaintiff

9. The Oklahoma Bar Association member who is counsel of record for Applicant in this matter is:

<u>Kathy</u>	<u>R.</u>	<u>Neal</u>	<u>674</u>
First Name	Middle Name	Last Name	O.B.A. Number
<u>Two W. 2nd Street, Suite 1100</u>		<u>Tulsa</u>	<u>OK 74103</u>
Mailing Address		City	State Zip Code
<u>(918) 587-0000</u>	<u>(918) 599-9317</u>	<u>kathy.neal@mcafeetaft.com</u>	
Telephone Number	Fax Number	E-mail Address	

10. The following accurately represents the names of each party in this matter and the names and addresses of each counsel of record who appear for that party:

<u>Party Name</u>	<u>Counsel Name</u>	<u>Address of Counsel</u>
<u>Heather Smith</u>	<u>Kathy R. Neal</u>	<u>McAfee & Taft, P.C.</u>
		<u>Two W. 2nd Street</u>
		<u>Suite 1100</u>
		<u>Tulsa, OK 74103</u>
<u>Whaleco, Inc. d/b/a TEMU</u>		
<u>Counsel has not entered an appearance yet.</u>		

11. Applicant certifies that he/she shall be subject to the jurisdiction of the courts and disciplinary boards of this state with respect to the laws of this state governing the conduct of attorneys to the same extent as a member of the Oklahoma Bar Association.

12. Applicant understands and shall comply with the standards of professional conduct required of members of the Oklahoma Bar Association.

13. Applicant has disclosed in writing to the client that the Applicant is not admitted to practice in this jurisdiction and the client has consented to such representation.

I, Frank S. Hedin, do hereby swear/affirm under penalty of perjury that the assertions of this application are true:

I am the Applicant in the above referenced matter; I have read the foregoing and know the contents thereof; the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to those matters I believe them to be true.

I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the Oklahoma Bar Association; I understand and shall comply with the standards of professional conduct required by members of the Oklahoma Bar Association; and that I am subject to the disciplinary jurisdiction of the Oklahoma Bar Association with respect to any of my actions occurring in the course of such appearance.

DATED this 29th day of May, 2023.


Applicant

Mail with check or money order (payable to the OBA) to:

Out-of-State Attorney Registration
Oklahoma Bar Association
P.O. Box 53036
Oklahoma City, OK 73152-3036

EXHIBIT A

U.S. District Court, Southern District of Florida	07/02/2014
U.S. District Court, Middle District of Florida	01/31/2019
U.S. District Court, Northern District of California	10/02/2014
U.S. District Court, Central District of California	07/07/2014
U.S. District Court, Southern District of California	04/27/2018
U.S. District Court, Eastern District of California	04/15/2019
U.S. District Court, Western District of Wisconsin	05/03/2016
U.S. District Court, Western District of Michigan	10/09/2018
U.S. District Court, Eastern District of Michigan	06/21/2019
U.S. Court of Appeals, Second Circuit	08/22/2017
U.S. Court of Appeals, Seventh Circuit	01/25/2018
U.S. Court of Appeals, Ninth Circuit	03/10/2021



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)

County of Leon)

In Re: 0109698
Frank S. Hedin
Hedin Hall LLP
1395 Brickell Ave Ste 1140
Miami, FL 33131-3353

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **April 30, 2014**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 15th day of **May, 2023**.

A handwritten signature in cursive script that reads "Cynthia B. Jackson".

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-228629



THE STATE BAR OF CALIFORNIA CERTIFICATE OF STANDING

May 15, 2023

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, FRANK S. HEDIN, #291289 was admitted to the practice of law in this state by the Supreme Court of California on September 20, 2013 and has been since that date, and is at date hereof, an ACTIVE licensee of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA



**Vicky Avila
Custodian of Records**



Certificate of Compliance

Oklahoma Bar Association
1901 North Lincoln Boulevard
Post Office Box 53036
Oklahoma City, Oklahoma 73152-3036

The Oklahoma Bar Association, in response to the application of out-of-state attorney, submits the following certificate pursuant to 5 O.S. Ch.1 App.1, Art. II

1. Applicant has submitted a signed application of out-of-state attorneys, certificate(s) of good standing, and the non-refundable application fee pursuant to the Rules Creating and Controlling the Oklahoma Bar Association, 5 O.S. Ch. 1, App. 1, Art. II.
2. Date of Application: **June 5, 2023**
3. Application Number: **2023-284**
4. Applying Attorney: **Frank Salisbury Hedin
Hedin Hall LLP
1395 Brickell Ave., Ste. 1140
Miami, FL 33131**
5. The Application was: **GRANTED**

Dated this 5th day of June, 2023.



Gina L. Hendryx, General Counsel
Oklahoma Bar Association

